## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

In re:

LEHMAN BROTHERS SECURITIES AND ERISA LITIGATION

This Document Applies to:

In re Lehman Brothers Mortgage-Backed Securities Litigation, No. 08-CV-6762.

09 MD 2017 (LAK)

**ECF CASE** 

# NOTICE OF MOTION OF PLAINTIFFS' MOTION FOR CERTIFICATION OF THE SETTLEMENT CLASS AND FINAL APPROVAL OF THE PROPOSED SETTLEMENT AND PLAN OF ALLOCATION

PLEASE TAKE NOTICE that on June 21, 2012 at 11:30 a.m. in Courtroom 21B at the United States District Court located at 500 Pearl Street, New York, New York, Plaintiffs will and hereby do move the Court, the Honorable Lewis A. Kaplan, for an order granting Plaintiffs' motion for Certification of the Settlement Class and Final Approval of the Proposed Settlement and Plan of Allocation.

This motion is based upon this notice of motion and the petitions, the accompanying memorandum of law, the accompanying Declaration of Steven J. Toll in support of the petition, the exhibits attached thereto, and such argument and additional papers as may be submitted to the Court before and at the hearing on the petitions.

Dated: New York, New York

May 31, 2012

#### COHEN MILSTEIN SELLERS & TOLL PLLC

By: /s/ Steven J. Toll

Joel P. Laitman Christopher Lometti Richard Speirs Michael B. Eisenkraft Daniel B. Rehns Kenneth M. Rehns

88 Pine Street, Fourteenth Floor New York, New York 10005 Telephone: (212) 828-7797 Facsimile: (212) 828-7745 jlaitman@cohenmilstein.com clometti@cohenmilstein.com rspeirs@cohenmilstein.com meisenkraft@cohenmilstein.com drehns@cohenmilstein.com krehns@cohenmilstein.com

Steven J. Toll
S. Douglas Bunch
1100 New York Avenue NW, Suite 500 West
Washington, D.C. 20005
Telephone: (202) 408-4600
Facsimile: (202) 408-4699

stoll@cohenmilstein.com
dbunch@cohenmilstein.com

#### **WOLF POPPER LLP**

By: /s/ James A. Harrod

Lester L. Levy James A. Harrod Matthew Insley-Pruitt
845 Third Avenue, 12th Floor

New York, NY 10022 Telephone: (212) 759-4600 Facsimile: (212) 486-2093

<u>llevy@wolfpopper.com</u> jharrod@wolfpopper.com

minsley-pruitt@wolfpopper.com

Counsel for Intervenor Public Employees' Retirement System of Mississippi

### **CERTIFICATE OF SERVICE**

I hereby certify that this motion and the accompanying documents in support were filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and that paper copies will be sent to those indicated as non-registered participants on May 31, 2012.

/s/ Kenneth M. Rehns
Kenneth M. Rehns